

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SERGEY ALEYNIKOV,

Plaintiff,

v.

THE GOLDMAN SACHS GROUP, INC.,

Defendant

THE GOLDMAN SACHS GROUP, INC. and
GOLDMAN, SACHS & CO.

Counterclaim Plaintiffs

v.

SERGEY ALEYNIKOV,

Counterclaim Defendant.

No. 12-cv-5994-KM-MAH

**DECLARATION OF A. ROSS
PEARLSON IN SUPPORT OF NOTICE
OF MOTION TO SEAL**

A. Ross Pearlson, of full age and upon his oath, declares as follows:

1. I am an attorney at law of the State of New Jersey and a member of the firm of Wolff & Samson PC.

2. I submit this declaration in support of Defendant/Counterclaim Plaintiff The Goldman Sachs Group, Inc.'s and Counterclaim Plaintiff Goldman, Sachs & Co.'s (collectively "Goldman Sachs"), motion to seal portions of the May 1, 2013 Joint of Letter of the Parties to Magistrate Judge Michael A. Hammer (the "Joint Letter") and Exhibits B - F thereto.

3. The materials that Goldman Sachs seeks to seal include portions of the transcripts of the February 21, 2013 deposition of Adam Schlesinger, the February 27, 2013

deposition of Gregory Palm, and the February 28, 2013 deposition of Matthew Tropp, and certain discovery responses by Goldman Sachs (the “confidential information”).

4. The confidential information was timely designated as “Confidential” under the February 25, 2013 Stipulation and Protective Order [ECF No. 81]. These designations were not objected to by Plaintiff within the fourteen-day time frame provided by that Stipulation and Protective Order at Paragraph 10(a) thereto.

5. Public disclosure of this non-public proprietary information contained in the confidential information would cause Goldman Sachs competitive harm. The confidential information contains information, *inter alia*, (i) about litigation and regulatory matters that are not public and/or are commercially sensitive, including information about past or present Goldman Sachs employees (who are not parties to this matter) in connection with such matters, and (ii) relating to the internal process by which GS Co. and/or GS Group appoint their respective officers and determine whether as a matter of business discretion to provide for the legal expenses of employees who were sued, investigated or indicted.

6. No less restrictive alternatives to the relief request is available. Goldman Sachs will file a redacted version of the Joint Letter and Exhibits B - F thereto that will be available to the public.

I hereby declare under penalty of perjury that the foregoing is true and correct.
Executed on this 7th day of May, 2013.

/s/ A. Ross Pearlson
A. ROSS PEARLSON